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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,374	10/28/2004	Yukio Mori	70594-030	7554
20277 7590 06/14/2007 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			EXAMINER TRAN, THUY V	
			ART UNIT 2821	PAPER NUMBER
			MAIL DATE 06/14/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/500,374	Applicant(s) MORI ET AL.	
	Examiner Thuy V. Tran	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on amendment submitted on 03/22/2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 8-17 is/are pending in the application.
- 4a) Of the above claim(s) 12-16 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-5 and 8-11 is/are allowed.
- 6) ☒ Claim(s) 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/30/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Office Action is in response to the Applicants' amendment submitted on 03/22/2007. In virtue of this amendment, claims 2 and 6-7 are canceled, claim 17 is newly added; and thus, claims 1, 3-5, and 8-17 are now pending in the instant application, among which claims 12-16 have been withdrawn from further consideration as a result of the restriction/election requirement mailed 09/07/2006.

Applicants' arguments on the rejection of claim 1 with respect to the teaching of Ishizuka have been fully considered and are persuasive. The rejection of claim 1, therefore, has been withdrawn.

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 04/30/2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Allowable Subject Matter***

2. Claims 1, 3-5, and 8-11 are allowed.
3. Prior art fails to disclose or fairly suggest:
  - A luminance control method for organic electroluminescence display characterized by comprising a first step of calculating a luminance accumulation value for each frame on the basis of a video input signal, and in the second step, the amplitude of the video input signal is controlled, when the luminance accumulation value calculated in the first step exceeds a predetermined value, such that the larger the difference between the luminance accumulation value and the predetermined value is, the

smaller the amplitude of the video input signal becomes, in combination with the remaining claimed limitations as called for in independent claim 1;

- A luminance control method for organic electroluminescence display characterized in that, in the second step, a reference voltage supplied to a digital-to-analog converter for converting the digital video input signal into an analog video signal is controlled on the basis of the luminance accumulation value in the first step, to control the amplitude of the video input signal, in combination with the remaining claimed limitations as called for in independent claim 3 (claim 4 is allowed since it is dependent on claim 3); and
- A luminance control circuit for an organic electroluminescence display comprising a digital-to-analog converter for converting a digital video input signal into an analog video output signal on the basis of input/output characteristics defined by a given reference voltage, and feeding the analog video output signal to the organic electroluminescence display, and a reference voltage control circuit for controlling a reference voltage supplied to the digital-to-analog converter on the basis of the digital video input signal, and in that the reference voltage supplied to the digital-to-analog converter includes a black-side reference voltage for defining a light emitting luminance corresponding the a black level of the input signal and a white side reference voltage for defining a light emitting luminance corresponding to a white level of the input signal, in combination with the remaining claimed limitations as called for in independent claim 5 (claims 8-11 are allowed since they are dependent on claim 5).

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites for an apparatus for receiving video input signals and transmitting video output signals with the use of such apparatus, but, since the claim does not set forth any description of parts/elements of which the apparatus is formed nor any active steps involved in the process of use, it is unclear what type of claim, whether apparatus or method/process, it is directed to. Such recitation renders the claim indefinite. If Applicants insist on retaining the claim as an apparatus claim, instead of citing the step of calculating, generating, or transmitting, etc., citing elements/parts that form the apparatus such as means for calculating, means for generating, means for transmitting, etc. is suggested. Clarification is required.

***Remarks***

6. Claim 17 would be allowed if rewritten in a form of an apparatus claim reciting all the performed steps in terms of means-plus-functions (e.g. means for calculating a luminance accumulation for each frame, etc.).

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### *Inquiry*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy V. Tran whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Owens Douglas can be reached on (571) 272-1662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

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like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

06/09/2007

A handwritten signature in black ink, appearing to read 'Thuy V. Tran', is positioned above the printed name and title.

**THUY V. TRAN**  
**PRIMARY EXAMINER**